

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **MUTANTS OF STREPTOCOCCAL TOXIN A AND METHODS OF USE**

The specification of which

- a. ☐ is attached hereto
b. ☒ was filed on December 5, 1997 as application serial no. unknown and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. PCT/US96/10252 filed June 7, 1996 and as amended on August 1, 1997 (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☐ no such applications have been filed.
b. ☒ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)
08/480,261	07 June 1995	Abandoned
PCT/US96/10252	07 June 1996	Inactive

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)

Albrecht, John W.	Reg. No. 40,481	Lacy, Paul E.	Reg. No. 38,946
Batzli, Brian H.	Reg. No. 32,960	Larson, James A.	Reg. No. 40,443
Beard, John L.	Reg. No. 27,612	Lasky, Michael B.	Reg. No. 29,555
Beck, Robert C.	Reg. No. 28,184	Lindquist, Timothy A.	Reg. No. 40,701
Berman, Charles	Reg. No. 29,249	Lynch, David W.	Reg. No. 36,204
Bogucki, Raymond A.	Reg. No. 17,426	Mau, Michael L.	Reg. No. 30,087
Bruess, Steven C.	Reg. No. 34,130	Maunu, Leroy D.	Reg. No. 35,274
Byrne, Linda M.	Reg. No. 32,404	McDaniel, Karen D.	Reg. No. 37,674
Canady, Karen S.	Reg. No. 39,927	McDonald, Daniel W.	Reg. No. 32,044
Carlson, Alan G.	Reg. No. 25,959	McIntyre, Iain A.	Reg. No. 40,377
Carter, Charles G.	Reg. No. 35,093	Mueller, Douglas P.	Reg. No. 30,300
Caspers, Philip P.	Reg. No. 33,227	Nasiedlak, Tyler L.	Reg. No. 40,099
Chiapetta, James R.	Reg. No. 39,634	Nelson, Albin J.	Reg. No. 28,650
Clifford, John A.	Reg. No. 30,247	Orler, Anthony J.	Reg. No. 41,232
Cooper, Victor G.	Reg. No. 39,641	Pauly, Daniel M.	Reg. No. 40,123
Crawford, Robert	Reg. No. 32,122	Plunkett, Theodore	Reg. No. 37,209
Daignault, Ronald A.	Reg. No. 25,968	Pollinger, Steven J.	Reg. No. 35,326
Daley, Dennis R.	Reg. No. 34,994	Pytel, Melissa J.	Reg. No. P-41,512
DalGLISH, Leslie E.	Reg. No. 40,579	Reich, John C.	Reg. No. 37,703
Daulton, Julie R.	Reg. No. 36,414	Reiland, Earl D.	Reg. No. 25,767
DiPietro, Mark J.	Reg. No. 28,707	Rittmaster, Ted R.	Reg. No. 32,933
Edell, Robert T.	Reg. No. 20,187	Schmaltz, David G.	Reg. No. 39,828
Epp Ryan, Sandra	Reg. No. 39,667	Schmidt, Cecil C.	Reg. No. 20,566
Farber, Michael B.	Reg. No. 32,612	Schuman, Mark D.	Reg. No. 31,197
Funk, Steven R.	Reg. No. 37,830	Schumann, Michael D.	Reg. No. 30,422
Gates, George H.	Reg. No. 33,500	Sebald, Gregory A.	Reg. No. 33,280
Glance, Robert J.	Reg. No. 40,620	Sharp, Janice A.	Reg. No. 34,051
Golla, Charles E.	Reg. No. 26,896	Skoog, Mark T.	Reg. No. 40,178
Gorman, Alan G.	Reg. No. 38,472	Smith, Jerome R.	Reg. No. 35,684
Gould, John D.	Reg. No. 18,223	Sumner, John P.	Reg. No. 29,114
Gresens, John J.	Reg. No. 33,112	Sumners, John S.	Reg. No. 24,216
Hamre, Curtis B.	Reg. No. 29,165	Tellekson, David K.	Reg. No. 32,314
Hillson, Randall A.	Reg. No. 31,838	Underhill, Albert L.	Reg. No. 27,403
Hollingsworth, Mark A.	Reg. No. 38,491	Vandenburgh, J. Derek	Reg. No. 32,179
Johnston, Scott W.	Reg. No. 39,721	Victor, David W.	Reg. No. 39,867
Kastelic, Joseph M.	Reg. No. 37,160	Welter, Paul A.	Reg. No. 20,890
Kettelberger, Denise	Reg. No. 33,924	Williams, Douglas J.	Reg. No. 27,054
Komanduri, Janaki	Reg. No. 40,684	Wood, Gregory B.	Reg. No. 28,133
Kowalchyk, Alan W.	Reg. No. 31,535	Xu, Min S.	Reg. No. 39,536
Kowalchyk, Katherine M.	Reg. No. 36,848		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant, Gould, Smith, Edell, Welter & Schmidt to the contrary.

Please direct all correspondence in this case to Merchant, Gould, Smith, Edell, Welter & Schmidt at the address indicated below:

Denise M. Kettelberger
 Merchant, Gould, Smith, Edell,
 Welter & Schmidt
 3100 Norwest Center
 90 South Seventh Street
 Minneapolis, MN 55402-4131

I hereby declare that all statements made herein or my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name SCHLIEVERT	First Given Name Patrick	Second Given Name M.
0	Residence & Citizenship	City Edina	State or Foreign Country Minnesota	Country of Citizenship US
1	Post Office Address	Post Office Address 5305 Birchcrest Drive	City Edina	State & Zip Code/Country Minnesota 55436, U.S.A.
Signature of Inventor 201: <i>Patrick Schlievert</i>			Date: <i>1/16/98</i>	
2	Full Name Of Inventor	Family Name ROGGIANI Roggiani <i>RR</i>	First Given Name Manuela	Second Given Name
0	Residence & Citizenship	City Minneapolis	State or Foreign Country Minnesota	Country of Citizenship IT
2	Post Office Address	Post Office Address 100 Second Street Southeast, #803	City Minneapolis	State & Zip Code/Country Minnesota 55414, U.S.A.
Signature of Inventor 202: <i>Manuela Roggiani</i>			Date: <i>1/16/98</i>	
2	Full Name Of Inventor	Family Name STOEHR	First Given Name Jennifer	Second Given Name
0	Residence & Citizenship	City Vadnais Heights	State or Foreign Country Minnesota	Country of Citizenship US
3	Post Office Address	Post Office Address 3981 Woodridge Circle	City Vadnais Heights	State & Zip Code/Country Minnesota 55127, U.S.A.
Signature of Inventor 203: <i>Jennifer A. Stoeck</i>			Date: <i>1-20-1998</i>	
2	Full Name Of Inventor	Family Name OHLENDORF	First Given Name Douglas	Second Given Name
0	Residence & Citizenship	City Eden Prairie	State or Foreign Country Minnesota	Country of Citizenship US
4	Post Office Address	Post Office Address 9397 Olympia Drive	City Eden Prairie	State & Zip Code/Country Minnesota 55347, U.S.A.
Signature of Inventor 204: <i>Doug Ohlendorf</i>			Date: <i>1/26/98</i>	

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application:

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

NONPROFIT ORGANIZATION
VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. 1.9(e) AND 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: Regents of the University of Minnesota
ADDRESS OF Morrill Hall
ORGANIZATION: 100 Church Street S.E.
Minneapolis, Minnesota 55455

TYPE OF ORGANIZATION:

- a) ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
b) ☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) AND 501(c)(3))
c) ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA -- (NAME OF STATE ____)
(CITATION OF STATUTE ____)
d) ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) AND 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
e) ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA -- (NAME OF STATE ____)
(CITATION OF STATUTE ____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in regard to the invention, entitled MUTANTS OF STREPTOCOCCAL TOXIN A AND METHODS OF USE by inventor(s) Patrick M. Schlievert, Manuela Roggiana, Jennifer Stoehr and Douglas Ohlendorf described in

- a) ☐ the specification filed herewith.
b) ☐ provisional application serial no. ____, filed ____.
c) ☒ non-provisional application serial no. PCT/US96/10252, filed June 7, 1996.
d) ☐ patent no. ____, issued ____.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. 1.9(c) or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e). ***NOTE:** Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. 1.27)

NAME _____
ADDRESS _____
a) ☐ INDIVIDUAL b) ☐ SMALL BUSINESS CONCERN c) ☐ NONPROFIT ORGANIZATION

NAME _____
ADDRESS _____
a) ☐ INDIVIDUAL b) ☐ SMALL BUSINESS CONCERN c) ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. 1.28(b))

MERCHANT, GOULD, SMITH, EDELL, WELTER & SCHMIDT
Professional Association

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereof, or any patent to which this verified statement is directed.

NAME: James A. Severson, Ph.D.
TITLE: Director, Patents & Technology Marketing

ADDRESS: Regents of the University of Minnesota
Morrill Hall, 100 Church Street S.E.
Minneapolis, Minnesota 55455

SIGNATURE: _____

DATE: January 13, 1998_____



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

OCTOBER 31, 1996

PTAS



100259442A

MERCHANT, GOULD, SMITH ET AL
ATTN: ALAN W. KOWALCHYK
3100 NORWEST CENTER
90 SOUTH SEVENTH STREET
MINNEAPOLIS, MINNESOTA 55402-4131

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/21/1996

REEL/FRAME: 8096/0011

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

SCHLIEVERT, PATRICK M.

DOC DATE: 06/28/1996

ASSIGNOR:

ROGGIANI, MANUELA

DOC DATE: 06/28/1996

ASSIGNOR:

STOEHR, JENNIFER

DOC DATE: 06/28/1996

ASSIGNOR:

OHLENDORF, DOUGLAS

DOC DATE: 06/28/1996

ASSIGNEE:

REGENTS OF THE UNIVERSITY OF MINNESOTA
100 CHURCH STREET, SOUTH EAST
MORRILL HALL
MINNEAPOLIS, MINNESOTA 55455

SERIAL NUMBER:

PATENT NUMBER:

PCT NUMBER: US9610252

FILING DATE:

ISSUE DATE:

FFD REC

NOV 08 1996

RECEIVED
MINNEAPOLIS MN 5540

JACQUELINE MOORE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

8-21-96

581/40

FORM PTO-1595
(Rev. 6-93)
OMB No. 0651-0011 (exp. 4/94)
M&G- 600.111W011

08-23-1996



100259442

SHEET 1 U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

AUG 21 1996

To the Commissioner of Patents and

1. Name of conveying party(ies):

Patrick M. Schlievert
Manuela Roggiani
Jennifer Stoehr
Douglas Ohlendorf

2. Name and address of receiving party(ies):

REGENTS OF THE UNIVERSITY OF MINNESOTA
Morrill Hall
100 Church Street, South East
Minneapolis, Minnesota 55455

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other:

Execution Date: June 28, 1996

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

B. Patent No.(s)

PCT/US96/10252

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Alan W. Kowalchyk
Address: Merchant, Gould, Smith, Edell, Welter & Schmidt
3100 Norwest Center
90 South Seventh Street
Minneapolis, Minnesota 55402-4131

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$40.00
☒ Enclosed
☐ Authorized to be charged to deposit account

8. Please charge any additional fees or credit any overpayments to our Deposit account number: 13-2725

DO NOT USE THIS SPACE

9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Alan W. Kowalchyk
Name of Person Signing

Alan W. Kowalchyk
Signature

20 August 1996
Date

Total number of pages including cover sheet, attachments, and document: 4

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

Commissioner for Patents and Trademarks
Box Assignments
Washington, D.C. 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of information systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

060 JS 08/23/96 SCHLIEVERT P

3 581

40.00 CK

ASSIGNMENT

WHEREAS, WE, Patrick M. Schlievert residing at 5305 Birchcrest Drive, Edina, MN 55436; Manuela Roggiani residing at 100 2nd Street SE, #803, Minneapolis, MN 55414; Jennifer Stoehr residing at 3981 Woodridge Circle, Vadnais Heights, MN 55127; and Douglas Ohlendorf residing at 9397 Olympia Drive, Eden Prairie, MN 55347, repsectively, made certain new and useful inventions and improvements as described in the international patent application Serial No. PCT/US96/10252 which is entitled MUTANTS OF STREPTOCOCCAL TOXIN A AND METHODS OF USE with an international filing date of June 7, 1996.

AND WHEREAS, Regents of the University of Minnesota, a corporation organized and existing under and by virtue of the laws of the State of Minnesota, and having an office and place of business at Morrill Hall, 100 Church Street, South East, Minneapolis, Minnesota 55455 (hereinafter "Assignee") is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefor;

NOW THEREFORE, to all whom it may concern, be it known that for and in consideration of the sum of One Dollar and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, I/we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the application, all divisions, continuations, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and I/we do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the Assignee, its successors and assigns.

AND, for the consideration aforesaid, I/we do hereby agree that I/we and my/our executors and legal representatives will make, execute and deliver any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said Assignee, its successors and representatives all facts known to me/us relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable more effectually to secure to and vest in said Assignee, its successors or assigns the entire right, title and interest in and to the improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

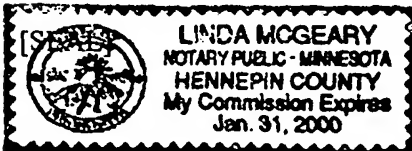
AND, furthermore I/we covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by me/us and that full right to convey the same as herein expressed is possessed by me/us.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 28 day of June, 1996.

Patrick M. Schlievert
Patrick M. Schlievert

STATE OF Minnesota)
) ss.
COUNTY OF Hennepin)

On this 28th day of June, 1996 before me personally appeared Patrick M. Schlievert to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.



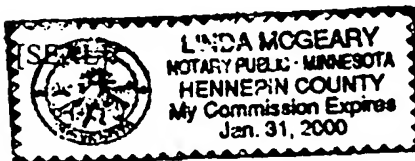
Linda McGeary
Notary Public

IN TESTIMONY WHEREOF, I have hereunto set my hand this 28 day of June, 1996.

Manuela Roggiani
Manuela Roggiani

STATE OF Minnesota)
) ss.
COUNTY OF Hennepin)

On this 28th day of June, 1996 before me personally appeared Manuela Roggiani to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.



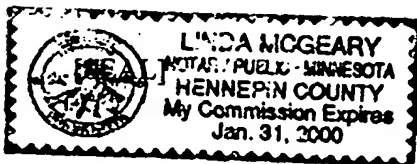
Linda McGeary
Notary Public

IN TESTIMONY WHEREOF, I have hereunto set my hand this 28 day of June, 1996.

Jennifer A. Stoehr
Jennifer Stoehr

STATE OF Minnesota)
) ss.
COUNTY OF Hennepin)

On this 28 day of June, 1996 before me personally appeared Jennifer Stoehr to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.



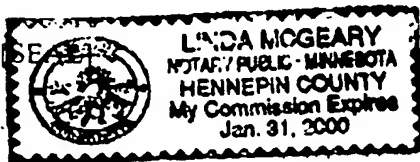
Linda McGeary
Notary Public

IN TESTIMONY WHEREOF, I have hereunto set my hand this 28 day of June, 1996.

Douglas Ohlendorf
Douglas Ohlendorf

STATE OF Minnesota)
) ss.
COUNTY OF Hennepin)

On this 28 day of June, 1996 before me personally appeared Douglas Ohlendorf to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.



Linda McGeary
Notary Public